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**UNITED STATE DISTRICT COURT
DISTRICT OF NEW JERSEY, NEWARK DIVISION**

ISRAEL ALBERT ALMEIDA and
MICHAEL R. TUMMINELLI,

Plaintiffs,

-vs-

THE HON. N. PETER CONFORTI, et
al.,

Defendants.

CASE NO. 2:16-CV-03411-KM-JBC

**MOTION DATE:
SEPTEMBER 19, 2016**

**NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT
AGAINST DEFENDANT MICHAEL S. RICHARDS**

PLEASE TAKE NOTICE that the Defendant, Michael S. Richards, will apply to the Court on Monday, September 19, 2016, at 10:00 a.m., such date having been specifically designated by the Court in its July 22, 2016, Letter Order, for an Order dismissing Plaintiff Michael R. Tumminelli's Complaint in its entirety as to Defendant Michael S. Richards.

Counsel for Defendant Michael S. Richards will rely on the attached consolidated brief in support of his motion to dismiss and in opposition to Plaintiff's motion for a preliminary injunction. A proposed form of Order is included with this submission.

Oral argument is requested **if** opposition is filed.

LADDEY, CLARK & RYAN

Attorneys for Defendant

Michael S. Richards

By: Ursula H. Leo /s/
Ursula H. Leo, Esq.

Dated: August 18, 2016